

S.F.Z. asks the Utah Labor Commission to reconsider its prior decision denying Ms. Z.'s claim for benefits under the Utah Occupational Disease Act ("the Act"; Title 34A, Chapter 3, Utah Code Annotated).

The Labor Commission exercises jurisdiction over this matter pursuant to Utah Code Ann. §63-46b-13.

BACKGROUND AND ISSUES PRESENTED

In this proceeding, Ms. Z. seeks medical care and disability compensation for carpal tunnel syndrome allegedly caused by her work at Select Comfort Corporation. However, an impartial medical panel has concluded Ms. Z.'s carpal tunnel syndrome was not caused or aggravated by her work at Select. On that basis, the ALJ and the Commission denied Ms. Z.'s claim. Ms. Z. now asks the Commission to reconsider its decision.

In support of reconsideration, Ms. Z. states she did not have problems with her hands and wrists before she began working at Select, nor did she do anything away from work to cause such problems. She also points to the opinion of her treating physician and physical therapist that her carpal tunnel syndrome is work-related.

DISCUSSION

As the Commission noted in its previous decision, Ms. Z.'s right to benefits depends on whether her work at Select caused or aggravated her carpal tunnel syndrome. The Commission notes Ms. Z.'s arguments on this point, but the Commission remains persuaded by the panel's opinion that Ms. Z.'s problems are not work-related and, therefore, not compensable under the Act.

ORDER

The Commission reaffirms its previous decision denying Ms. Z.'s claim and denies Ms. Z.'s request for reconsideration. It is so ordered.

Dated this 18th day of October, 2005.

R. Lee Ellertson, Commissioner